

Panaji, 20th November, 1975 (Kartika 29, 1897)

SERIES I No. 34

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Home Department (Transport and Accommodation)

Notification

HD(TA-Tpt)/2-17/74

Whereas certain draft rules further to amend the Goa, Daman and Diu Motor Vehicles Rules, 1965 were published as required by sub-section (1) of section 133 of the Motor Vehicles Act, 1939 (4 of 1939), at page 169 of the Official Gazette No. 14, Series I, dated 3-7-1975 under the Notification No. HD(TA-Tpt)/2-17/74 dated 23-6-1975 of the Home Department, Government of Goa, Daman and Diu, inviting objections and suggestions from all persons likely to be affected thereby till thirty days from the date of publication of the said Notification in the Official Gazette.

And whereas the said Gazette was made available to the public on 3rd July, 1975.

And whereas the objections and suggestions received on the said draft have not been considered by the Government.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 133A of the Motor Vehicles Act, 1939 (4 of 1939), as applicable to the Union territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa, Daman and Diu Motor Vehicles (Twenty Ninth Amendment) Rules, 1975.

(2) They shall come into force at once.

2. *Amendment of rule 10.5.*— In rule 10.5 of the Goa, Daman and Diu Motor Vehicles Rules, 1965, in the Appendix 'A', for the existing items (i) to (v) the following items shall be substituted, namely:—

"(i) Slacks, Khaki drill (four every year).

(ii) Bus-shirt or shirt (Khaki) (four every year).

(iii) Pea cap or beret of navy blue colour (one every two years).

(iv) Berry (one every two years).

(v) Canvas belt (one every two years).

(vi) Brown shoes (two pairs every year).

(vii) Whistle with cord.

(viii) A set of epauletters as illustrated."

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

G. M. Sardessai, Under Secretary (Home).

Panaji, 10th November, 1975.

Notification

HD(TA-Tpt)/1-21/74

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Motor Vehicles Rules, 1965 is hereby pre-published as required by sub-section (1) of section 133 of the Motor Vehicles Act, 1939 (4 of 1939), for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft amendment may be forwarded to the Under Secretary to the Government of Goa, Daman and Diu, Home Department, Secretariat, Panaji, before the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT

In exercise of the powers conferred by clause (ww) of sub-section (2) of section 68 of the Motor Vehicles Act, 1939 (4 of 1939), as applicable to the Union territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa, Daman and Diu Motor Vehicles (Thirty First Amendment) Rules, 1975.

(2) They shall come into force at once.

2. *Amendment of rule 4.80.*— In rule 4.80 of the Goa, Daman and Diu Motor Vehicles Rules, 1965, for the words "If a duplicate agent's licence is granted" the words "If a duplicate of agent's licence is granted" shall be substituted.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

G. M. Sardessai, Under Secretary (Home).

Panaji, 10th November, 1975.

Education and Public Works Department

Directorate of Education

Constitution for the Goa, Daman and Diu
Joint Teachers Council

PREAMBLE

Whereas, it is necessary to provide for good conditions of service and work in our educational institutions in order to attract and retain right type of and talented persons in the profession and to enable the teachers to function at their highest level of efficiency;

Whereas it is necessary to build good relations between teachers and the Government and promote the cause of Education by smoothening administrative problems related to various aspects of teachers' work and service;

Whereas it is essential, for these purpose, to create a form where the officers of the Department of Education meet the representatives of Teachers' organisations at a sufficiently high level; a Joint Teachers' Council is hereby formed.

1. *Short title, commencement and regulations.*

1.1 These regulations may be called the "Goa, Daman and Diu Joint Teachers Council" regulations.

1.2 These regulations shall come into force on such date as Government may fix.

1.3. In these regulations, unless there is anything repugnant in the subject or context.

i) 'Chairman' means the Chairman of the Goa, Daman and Diu Joint Teachers Council.

ii) 'Secretary' means the member-Secretary of the Goa, Daman and Diu Joint Teachers Council.

iii) 'School term' means the period from June to November or one from December to May.

iv) 'School year' means the period from June of one year to May of the following year.

v) 'Teacher' means a member of the academic staff of an institution and includes a Headmaster.

vi) 'Teachers' Association' means an Association of teachers recognised by Government as such.

vii) 'School' means an institution imparting education, and recognised as such by the Government.

viii) 'Council' means the Goa, Daman and Diu Joint Teachers Council.

ix) 'Territory' means the Union Territory of Goa, Daman and Diu.

2. *Goa, Daman and Diu Joint Teachers' Council.*

2.1 The Council shall consist of: —

i) The Secretary for Education — Chairman.

ii) One representative of each Teachers Association — Members.

iii) Director of Education — Member-Secretary.

2.2 The functions and powers of the Council shall be as follows:

i) The Council shall be an advisory body.

ii) with regard to recruitment, promotion and discipline, the Council will deal with matters of general principles only and not with individual cases.

iii) to consider and submit its recommendations to the Government, on the principles involved in matters relating to the following:

(a) conditions of service of teachers, such as,

i) Recruitment

ii) Pay and emoluments

iii) Leave

iv) Promotion

v) Transfer

vi) Tenure/security of service

vii) Retirement benefits.

(b) working conditions of teachers, such as,

i) Hours of work

ii) Teacher pupil ratio

iii) Physical facilities in schools

iv) Training and inservice training.

(c) welfare services for teachers

(d) general programmes for the improvement of education.

iv) To invite expert(s) in the field of Education when dealing with general programmes for the improvement of Education.

3. *Duties of the Chairman.*

3.1 The Chairman shall perform the following duties, namely: —

i) convene all meetings of the Council

ii) preside at all meetings of the Council.

4. *Duties of the Secretary.*

4.1 It shall be the duty of the Secretary: —

i) to issue notices convening meeting of the Council.

ii) to attend and participate in the discussions at the meetings of the Council and supply such information as may be called for.

iii) to prepare the minutes of the meetings of the Council and submit them to the Council for approval at the next meeting.

iv) to place before the Government the recommendations of the Council.

5. *Meetings of the Council.*

5.1 The Council shall meet as often as necessary, but at least once a school term, preferably in the months of August and January.

5.2 The meetings of the Council may be held anywhere in the Territory as the Chairman may decide.

5.3 The Chairman shall convene a meeting and therefore give 15 clear days notice of every meeting to the members, and shall forward with the notice the agenda for the meeting.

5.4 Items from members for the Agenda of the term meetings of the Council shall only be those received by the Secretary by the 7th of July and 7th of December respectively of the school year.

However, any item received after these dates shall be included in the Agenda of the subsequent meeting.

5.5 The Chairman shall preside at the meetings of the Council.

5.6 The Secretary shall keep the minutes of each meeting of the Council.

5.7 The 'quorum' for transaction of business shall be of at least four members.

5.8 If at the commencement of a meeting the number of members required to form a quorum is not present, after a quarter of an hour, the meeting shall stand adjourned to such a date as the chairman may appoint. The Secretary shall give a fresh notice of five clear days indicating the date, time and place for the adjourned meeting. If at the adjourned meeting there is still no quorum, the members present shall be entitled to transact the business on the agenda paper already circulated.

5.9 All issues before the Council shall be decided.

(a) by consensus of the members at a meeting failing which

(b) by a majority vote of the members at a meeting, provided such majority exceeds half the number of members of the Council, failing which

(c) at a subsequent meeting of the Council, by simple majority of the members present and voting.

M. H. Sardessai, Director of Education.

Panaji, 4th October, 1975.

Finance Department (Revenue)

Notification

Fin (Rev)/2-41/part/11/75

Whereas certain draft rules further to amend the Goa, Daman and Diu Entertainment Tax Rules, 1965 were published as required by sub-section (1) of section 14 of the Goa, Daman and Diu Entertainment Tax Act, 1964 (2 of 1964), at pages 270-271 of the Official Gazette, No. 25, Series I, dated 18-9-75, under the Notification No. Fin(Rev)/2-41/Part/11/75 dated 10-9-1975 of the Finance Department, Government of Goa, Daman and Diu, inviting objections and suggestions from all persons likely to be affected thereby till fifteen days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 18th September, 1975.

And whereas no objections and suggestions have been received from the public on the said draft by the Government.

Now, therefore, in exercise of the powers conferred by section 14 of the Goa, Daman and Diu

Entertainment Tax Act, 1964 (2 of 1964), the Government of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Entertainment Tax Rules, 1965 (hereinafter called the "Principal Rules"), namely:—

1. For the rule 25 of the principal Rules, the following shall be substituted namely:—

«25. Exemptions under section 5(1).— Any person claiming exemption under sub-section (1) of section 5 from payment of the entertainment tax shall present an application in Form 'K' for such exemption to the Commissioner fifteen clear days before the date of the entertainment. An application for exemption not presented before such period may, unless sufficient cause is shown for not making the application before fifteen days as aforesaid, be rejected».

2. For rule 28 of the principal Rules the following shall be substituted, namely:—

“28. Applications for exemption under section 5(3).— All applications for exemption under sub-section (3) of section 5 of the Act shall be made to the Government in Form 'K' and delivered in the office of the Commissioner not later than fifteen days before the date of the entertainment. An application for exemption not presented before such period may, unless sufficient cause is shown for not making the application before fifteen days as aforesaid, be rejected”.

3. In the principal Rules, after the Form 'J' the following shall be inserted, namely:—

FORM 'K'

(See rules 25 and 28)

Application for the grant of exemption from Entertainment Tax under section 5(1)/5(3) of the Goa, Daman and Diu Entertainment Tax Act, 1964

1. Name and address of the Institution/Club on behalf of which the application is made.
2. Whether the Institution/Organisation/Club is registered under Societies Registration Act, 1860. If so, give number and date of registration.
3. Whether grant in aid is received from the Directorate of Sports and Cultural Affairs. If so, how much.
4. Aims and objects of the institution/Organisation/Club.
5. Name and address of the
President
Secretary
of the institution/organisation/
club.
6. Have you been granted exemption from entertainment tax in the past? If so, give details.
7. Have you rendered accounts to the Commissioner of Entertainment Tax in respect of the above exemptions? If so, when and if not why?

8. Particulars of the Entertainment proposed to be performed.
 - a) nature of entertainment
 - b) dates on which and place where it is proposed to be performed.
9. Rates of admission proposed.
10. Approximate amount expected to be raised by sale of tickets thereon.
11. Specific purpose for which the sale proceeds are proposed to be utilised.
12. Name of the bank in which the sale proceeds are proposed to be deposited.
13. Whether, there is written/printed/typed script for the performance? If so, please attach a copy.

Date:

Signature of the Applicant ...

Name in block letters ...

Designation ...

DECLARATION

I, ... President/Secretary of ... hereby affirm that the facts stated above are correct and that nothing has been concealed. I hereby undertake to produce before the Commissioner of Entertainment Tax the accounts of the above mentioned performances within one month of the last date given in column 8(b).

I have understood that if the accounts are not produced within the time limit mentioned above or the conditions subject to which exemption is granted are not fulfilled, I will be required to pay the entertainment tax on the above mentioned performances.

Signature ...

By order and in the name of the Administrator of Goa, Daman and Diu.

S. S. Sukhatankar, Under Secretary (Finance).

Panaji, 6th November, 1975.

Law and Judiciary Department

Notification

LD/4309/75

The following notifications received from the Government of India, Ministry of Home Affairs (Grih Mantralaya) New Delhi, are hereby republished for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 30th October, 1975.

MINISTRY OF HOME AFFAIRS

Notification

New Delhi, the 24th September 1975

G.S.R. 501(E). — In exercise of the powers conferred by Section 3 of the Defence and Internal

Security of India Act, 1971 (42 of 1971), and of all other powers enabling the Central Government in this behalf, the Central Government hereby makes the following rules further to amend the Defence and Internal Security of India Rules, 1971, namely: —

1. *Short title and commencement.* — (1) These rules may be called the Defence and Internal Security of India (Fourth Amendment) Rules, 1975.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Insertion of new rule 184A.* — After rule 184 of the Defence and Internal Security of India Rules, 1971, the following rule shall be inserted, namely: —

"184A. *Special provision regarding custody after arrest.* — The provisions of clause (b) of the proviso to sub-section (2) of section 167 of the Code of Criminal Procedure, 1973 (2 of 1974), shall not apply to a person who is arrested for alleged contravention of any provision of these rules or of any order made thereunder, if such person had been, after such arrest, produced before a Magistrate who is competent to try the case or commit it for trial and the initial order for the detention of such person in custody had been made by the Magistrate before whom he was so produced."

[No. F.II/16012/3/75-S&P(D.II)]

C. V. NARASIMHAN, Jt. Secy.

Order

New Delhi, the 25th September 1975

G.S.R. 503(E). — In exercise of the powers conferred by clause (1) of article 359 of the Constitution, the President hereby rescinds Order No. GSR 1843, dated the 5th December, 1971 and Order No. G.S.R. 694(E) dated the 23rd December, 1974 (as amended by Order No. G.S.R. 338(E), dated the 20th June, 1975) and makes the following further amendment in Order No. GSR 361(E) dated the 27th June, 1975, namely: —

Amendment

In Order No. GSR 361(E) dated the 27th June, 1975, the last paragraph shall be omitted.

[No. II/16011/14/74-S&P(D-II)]

S. L. KHURANA, Secy.

Notification

LD/4319/75

The following notification received from the Government of India, Ministry of Labour and Information New Delhi, is hereby republished for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 30th October, 1975.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF SHIPPING AND TRANSPORT

(NAU VAHAN AUR PARIVAHAN MANTRALAYA)

(Transport Wing)

(Parivahan Paksha)

Dated New Delhi, the 22nd September, 1975

Notification

S. O. — Whereas certain draft scheme further to amend the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965 was published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) at pages 1760-61 of the Gazette of India, Part II Section 3, sub-section (ii) dated the 10th May, 1975 under the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S. O. 1438, dated the 26th April, 1975, inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of a period of two months from the date of publication of the said notification in the Official Gazette;

And Whereas the said Gazette was made available to the public on the 24th May, 1975;

And Whereas no objections and suggestions have been received from the public on the said draft by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the said Act, the Central Government hereby makes the following scheme to amend the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965, namely: —

1. *Short title and commencement.* — (1) This Scheme may be called the Mormugao Dock Workers (Regulation of Employment) Amendment Scheme, 1975.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In Clause 36 of the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965, for the figure "8" the figure "10" shall be substituted.

Sd/-

V. SANKARALINGAM

Under Secretary to the Govt. of India

[File No. LDG-6/7/75].

Notification

LD/4296/75

The following notification received from the Government of India, Ministry of Agriculture and Irrigation New Delhi, is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 4th November, 1975.

GOVERNMENT OF INDIA

MINISTRY OF AGRICULTURE AND IRRIGATION

(Department of Agriculture)

KRISHI BHAVAN

New Delhi, the 8th September, 1975

Notification

No. 10-16/75-STU

G.S.R. 486(E) — In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Fertiliser (Control) Order, 1957, namely: —

1. (1) This Order may be called the Fertiliser (Control) Third Amendment Order, 1975.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Fertiliser (Control) Order, 1957, after clause 3, the following clause shall be inserted, namely: —

"3A. *Manufacturers and dealers to display stock and price list of fertilisers.* — Every manufacturer or dealer who sells or offers to sell any fertiliser shall prominently display in his place of business:

(a) the quantities of stock of different fertilisers held by him, on daily basis;

(b) a list of prices or rates of such fertilisers fixed under clause 3 and for the time being in force."

Sd/-

KUMARI ANNA R. GEORGE

Joint Secretary to the Government of India

Notification

LD/4495/75

The following Ordinance which was recently promulgated by the President of India on 17-10-1975 and published in an extraordinary Gazette of India, Part II, section 1 dated 17-10-1975 is hereby republished for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 11th November, 1975.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 17th October, 1975/Asvina
25, 1897 (Saka)THE MAINTENANCE OF INTERNAL SECURITY
(THIRD AMENDMENT) ORDINANCE, 1975

No. 16 of 1975

Promulgated by the President in the Twenty-sixth Year of the Republic of India.

An Ordinance further to amend the Maintenance of Internal Security Act, 1971.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Maintenance of Internal Security (Third Amendment) Ordinance, 1975.

(2) Sub-clause (iii) of clause (b) of section 2 shall come into force at once and the remaining provisions of this Ordinance shall be deemed to have come into force on the 29th day of June, 1975.

2. *Amendment of section 16A.*— In section 16A of the Maintenance of Internal Security Act, 1971,— 26 of 1971.

(a) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) In making any review, consideration or re-consideration under sub-section (2), sub-section (3) or sub-section (4), the appropriate Government or officer may act on the basis of the information and materials in its or his possession without communicating or disclosing any such information or materials to the person concerned or affording him any opportunity of making any representation against the making under sub-section (2), or the making or confirming under sub-section (3), or the non-revocation under sub-section (4), of the declaration in respect of him.”;

(b) in sub-section (7), in clause (i),—

(i) in the opening portion, for the words “the following sub-section”, the words “the following” shall be substituted;

(ii) in sub-section (3), as substituted by that clause, for the words “forward to the Central Government a report in respect of the order”, the words “report the fact to the Central Government” shall be substituted;

(iii) after sub-section (3) aforesaid, the following shall be inserted, namely:—

“(4) At any time after the receipt of a report under sub-section (3), the Central Government may require the State Government to furnish to the Central Government the grounds on which the order has been made and such other particulars as, in the opinion of the

State Government, have a bearing on the necessity for the order.”;

(c) after sub-section (7), the following sub-sections shall be inserted, namely:—

“(8) In the case of any person in respect of whom a declaration has been made by a State Government under sub-section (2) or a declaration has been made by a State Government or an officer subordinate to it or confirmed by the State Government under sub-section (3), or a declaration has not been revoked by a State Government under sub-section (4), the Central Government may, whenever it considers it necessary so to do, require the State Government to furnish to the Central Government the information and materials on the basis of which such declaration has been made or confirmed, or not revoked, as the case may be, and such other information and materials as the Central Government may deem necessary.

(9) Notwithstanding anything contained in any other law or any rule having the force of law,—

(a) the grounds on which an order of detention is made under sub-section (1) of section 3 against any person in respect of whom a declaration is made under sub-section (2) or sub-section (3) and any information or materials on which such grounds or a declaration under sub-section (2) or a declaration or confirmation under sub-section (3) or the non-revocation under sub-section (4) of a declaration are based, shall be treated as confidential and shall be deemed to refer to matters of State and to be against the public interest to disclose and save as otherwise provided in this Act, no one shall communicate or disclose any such ground, information or material or any document containing such ground, information or material;

(b) no person against whom an order of detention is made under sub-section (1) of section 3 shall be entitled to the communication or disclosure of any such ground, information or material as is referred to in clause (a) or the production to him of any document containing such ground, information or material.”.

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.